

Exhibit J

Antoy Bell
9/14/2022

Page 1

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF
MIDLAND/ODESSA DIVISION

DAVID SANCHEZ, Individually)	
and On Behalf of All Others)	
Similarly Situated,)	
Plaintiff,)	Case No.
)	7:21-cv-203-DC-RCG
vs.)	
)	
)	
TNT CRANE & RIGGING, INC.)	FLSA Collective & Rule
Defendant.)	23 Class Action

* * * * *

ORAL DEPOSITION OF

TNT CRANE & RIGGING, INC.

BY AND THROUGH ANTOY BELL

SEPTEMBER 14, 2022

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ORAL DEPOSITION OF ANTOY BELL, produced as a witness at the instance of the Plaintiff and duly sworn, was taken in the above-styled and numbered cause on September 14, 2022, from 12:02 p.m. to 1:58 p.m., before Christy Fagan, CSR, CRR, RMR, TMR, RPR in and for the State of Texas, considered being taken at the witness's location of Houston, Texas, pursuant to the Federal Rules of Civil Procedure.

Antoy Bell
9/14/2022

Page 47

1 would have record of it.

2 Q And if it's not on the time sheet exactly how
3 much time they spent doing those things, there's no way
4 to offer evidence of that, right?

5 MR. BULLER: Objection to form.

6 A Correct.

7 Q So we're talking about the way you would prove
8 this is by offering testimony of estimates of the
9 average time that it generally takes any crane operator
10 to make those stops and perform those tasks?

11 MR. BULLER: Objection to form.

12 A That and referencing their time sheets.

13 Q What is the normal commuting area for crane
14 operators out of TNT's Midland branch?

15 MR. BULLER: Objection, form.

16 A I wouldn't say there's a normal.

17 Q There is no normal commuting area?

18 A No.

19 Q What's the -- to your knowledge, what is about
20 the longest daily drive time from the Midland yard to a
21 jobsite for any jobs that y'all have had since you've
22 been operating there in Midland?

23 A The longest daily would probably be hour and
24 20 minutes.

25 Q Are you saying that you don't think that TNT

Antoy Bell
9/14/2022

Page 48

1 has had any jobs that take longer than an hour and 20
2 minutes to drive from the Midland branch to the job --
3 from the Midland yard to the jobsite?

4 A Right. We get -- we provide lodging near the
5 location.

6 Q So if a job is more than about an hour and 20
7 minutes away from the Midland yard, you provide lodging
8 so that the crane operator doesn't have to drive as far?

9 A That was a different question, I think, that
10 you asked me that time. So there could be a job more
11 than an hour and a half away from the Midland yard, but
12 lodging -- from lodging to the jobsite, about a hour and
13 20 minutes.

14 Q And an hour -- let me see if I can -- I want
15 to rephrase and make sure I'm understanding what you're
16 saying.

17 Are you saying that, to your knowledge,
18 there are no jobs where the crane operator would ever
19 need to drive more than an hour and 20 minutes either
20 from the Midland yard to the jobsite or from lodging
21 that TNT provides to the jobsite?

22 MR. BULLER: Objection, form.

23 A From the Midland yard, there could be a job
24 that's further away from the Midland yard than an hour
25 and 20 minutes, but on a daily commute to the jobsite to

Antoy Bell
9/14/2022

Page 49

1 lodging, the longest is about a hour and 20 minutes.

2 Q Okay. So would you say about an hour and 20
3 minutes is the normal commuting area or commuting
4 distance for crane operators out of TNT's Midland
5 branch?

6 A No.

7 MR. BULLER: Objection to form.

8 Q Why not?

9 A Because you asked me for about the longest and
10 I gave you about the longest.

11 Q Fair enough. Fair enough. So you're saying
12 an hour and 20 minutes, that's longer than normal?

13 A Correct.

14 Q About what distance or what in drive time
15 duration would you say is normal?

16 A I'd say there is no normal.

17 Q Would you say that somewhere between 30 and 60
18 minutes is pretty typical?

19 A I'd say we have jobs that take that long to
20 get to.

21 MR. BULLER: And I just want to make sure
22 I'm not confused. Aaron, you're talking about from
23 company-provided lodging to jobsite here?

24 MR. JOHNSON: If they're staying at
25 lodge -- at the company-provided lodging or if that